

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JOHN ANTHONY GENTRY)
)
v.)
)
THE TENNESSEE BOARD OF)
JUDICIAL CONDUCT, et al.)
)

) NO. 3:17-0020

O R D E R

In this civil rights action, Plaintiff has sued the State of Tennessee, the Tennessee Board of Judicial Conduct, Judge Chris Craft, Timothy R. Discenza, “unnamed members of investigative panel,” and “unnamed liability insurance carriers.” On February 7, 2017, the Office of the Tennessee Attorney General and Reporter filed an appearance on behalf of the State of Tennessee, the Tennessee Board of Judicial Conduct, Christ Craft, and Timothy R. Discenza (hereinafter referred to collectively as “the State Defendants”). *See* Docket Entry No. 10.

Presently pending is Plaintiff’s motion (Docket Entry No. 16) for an order requiring the Office of the Tennessee Attorney General and Reporter to withdraw from its representation of the State Defendants in this action. The State Defendants have filed a response in opposition to the motion. *See* Docket Entry No. 17.

Plaintiff’s motion is DENIED. Tennessee statutory authority provides that the Tennessee State Attorney General and Reporter shall represent the State of Tennessee and all offices, departments, agencies, boards, commissions or instrumentalities of the state, Tenn. Code. Ann. §§ 8-6-109 and 8-6-301, and shall have the unreviewable discretion to provide legal representation to state employees who are sued in civil actions for damages. Tenn. Code. Ann. § 8-42-108. Plaintiff’s objection to the representation of the State Defendants by the Office of the Tennessee Attorney General and Reporter and his assertions of conflict of interest lack legal merit and fail to support his motion.

Any party desiring to object to this Order may do so by filing a motion for review no later than fourteen (14) days from the date this Order is served upon the party. The motion for review must be accompanied by a brief or other pertinent documents to apprise the District Judge of the basis for the objection. *See Rule 72.02(b) of the Local Rules of Court.*

So ORDERED.



BARBARA D. HOLMES
United States Magistrate Judge